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ORDINANCE NUMBER XXXX

AN ORDINANCE TO AMEND GREENBELT CITY CODE, CHAPTER 4 "BUILDINGS AND BUILDING REGULATIONS," ARTICLE III "PROPERTY MAINTENANCE CODE," TO ADD SEC. 4-149.5 "WINDOW GUARDS"

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WHEREAS, Md. Public Safety Code Ann., §12-203 requires that each political subdivision adopt by regulation a local housing code that sets minimum property maintenance standards for housing in the subdivision; and

WHEREAS, pursuant to this authority the Council of the City of Greenbelt adopted City Code, Chapter 4 "Buildings and Building Regulations", Article III "Property Maintenance Code;" and

WHEREAS, window guards help to keep young children from climbing out of windows or falling out of windows and being injured; and

WHEREAS, City staff recommends that the City Council amend City Code, Chapter 4, Article III "Property Maintenance Code" to add a section that requires all operable windows in residential units with a window opening greater than four inches (4"), when any part of the window opening is less than 24 inches from the floor, and any part of the window opening is greater than 72 inches above the exterior grade or surface, to be equipped with a certified window fall prevention device or window opening limiting device, installed according to all manufacturer instructions; and

WHEREAS, the Council of the City of Greenbelt desires to amend the City Code to require window guards as recommended by staff.

Section 1. NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Greenbelt, Maryland that City Code, Chapter 4 "Buildings and Building Regulations", Article III "Property Maintenance Code;" Division 3 "General Requirements", Subdivision 3 "Exterior Structure" is hereby amended to add Sec. 4-149.5 "Window guards" to read as follows:

**Sec. 4-149.5. Window guards**

All operable windows in residential units with a window opening greater than four (4) inches, when any part of said window opening is less than 24 inches from the adjacent finished floor, and any part of said window opening is greater than 72 inches above the exterior grade or

surface, shall be equipped with an ASTM F2090 certified window fall prevention device or window opening limiting device, installed according to all manufacturer instructions. Further, the occupant of any dwelling unit where a window fall prevention device or window opening limiting device has been installed will be provided instruction in the purpose and operation of the subject device. Such instruction shall be delivered verbally and in writing, and provided within seven (7) calendar days of installation of the device. All windows required to be equipped with window fall prevention or window opening limiting devices must be properly equipped and instruction shall be provided within one (1) year of the effective date of enactment of this section or upon change in tenancy, whichever occurs first. Failure to install the required device, removal of the required device, or disabling of a required device, shall be considered a municipal infraction and subject to a fine of \$250 per window.

Passed by the Council of the City of Greenbelt, Maryland, at its regular meeting of April 10, 2017.

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Emmett V. Jordan, Mayor

ATTEST:

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Cindy Murray, City Clerk

Key:

Underscoring indicates language added to existing law.